

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TROY ALLEN PETERSON,

Plaintiff,
v.

SGT. DERKINS and MRS. BURTINESS,

ORDER

23-cv-674-jdp

Defendants.

Plaintiff Troy Allen Peterson, proceeding without counsel, is a former state of Wisconsin prisoner. Peterson alleges that when he was incarcerated at Oakhill Correctional Institution, officers failed to protect him from being attacked by his cellmate. I granted him leave to proceed on claims under the Eighth Amendment, the Equal Protection Clause of the Fourteenth Amendment, and Wisconsin negligence law. Dkt. 9.

Peterson has responded to my screening order with a letter raising two issues. Dkt. 15. First, he states that I incorrectly interpreted his allegations to say that defendant Burtiness did nothing to protect him because Peterson is black. Peterson explains that he is white and that Burtiness failed to take action against the inmate who assaulted him, Toussaint Minett, because Minett is black. In his complaint he also noted that Burtiness previously punished a white inmate for threatening a black inmate. Dkt. 1, at 4. I will treat Peterson's filing as a motion for clarification and I will grant that motion. Peterson may still proceed on a race-based equal protection claim against Burtiness.

Second, Peterson states that he does not know how to contact Minett now that they have both been released and that he wants to send him documents. He also wishes that criminal charges be brought against Minett. But this court doesn't know Minett's address, Minett isn't

a party to this case, and there isn't any other reason for the court to intervene to ensure that Minett is formally served with any case filings. Additionally, this court cannot initiate criminal proceedings.

ORDER

IT IS ORDERED that:

1. Plaintiff Troy Allen Peterson's motion for clarification, Dkt. 15, is GRANTED.
2. Plaintiff's motion for mailing information and for initiation of criminal charges, Dkt. 15, is DENIED.

Entered July 12, 2024.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge